IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 27TH FEBRUARY 2007 / 8TH PHALGUNA 1928

WP(C).No. 6606 of 2005(J)

PETITIONER:

T.M.SANKUNNY, WORK SHOP INSTRUCTOR,
SREE RAMA POLYTECHNIC COLLEGE, THRIPRAYAR.

BY ADV. SMT.I.SHEELA DEVI
SMT.REJI RAMACHANDRAN
SMT.MINI K.D.

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY
SECRETARY TO GOVERNMENT, DEPARTMENT OF
TECHNICAL EDUCATION, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. DIRECTOR OF TECHNICAL EDUCATION,
THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SMT.SMITHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 27/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

P1: TRUE COPY OF THE ORDER DT.24.6.96 ISSUED BY R2.

P2: TRUE COPY OF THE ORDER DT.21.12.98 ISSUED BY R1.

P3: TRUE COPY OF THE GAZETTE NOTIFICATION DT.10.8.99 ISSUED BY THE K.P.S.C.

P4: TRUE COPY OF THE PROCEEDINGS DT.9.8.98 ISSUED BY R2.

P4(a): TRUE COPY OF THE PROCEEDINGS DT.2.6.99ISSUED BY R2.

P4(b): .DO. DT.9.12.1999 ISSUED BY R2.

P4(c): .DO. DT.17.9.2001 ISSUED BY R2.

P5: TRUE COPY OF THE JUDGMENT DT.16.7.2004 IN WPC NO.21034/2004 OF THE HON'BLE HIGH COURT OF KERALA.

P6: TRUE COPY OF THE ORDER DT.31.12.2004 ISSUED BY R2 TO THE PRINCIPAL SRG POLYTECHNIC.

P7: TRUE COPY OF THE PROCEEDINGS DT.17.2.04 ISSUED BY R2.

P8: TRUE COPY OF THE ORDER DT.12.7.2004 ISSUED BY R1.

TRUE COPY

P.S. TO JUDGE

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.6606 of 2005

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Dated this the 27th day of February, 2007.

JUDGMENT

The petitioner claims promotion to the cadre of Assistant Lecturer by virtue of 60% marks obtained by him in the Diploma course. Government Pleader referring to the counter affidavit pointed out that the post claimed by the petitioner i.e. Assistant Lecturer, was abolished in Government service on 21.12.1998 and in the private colleges also on 31.5.2000. In the circumstances, obviously petitioner cannot be given promotion to the post which stands abolished. It is admitted in the petition that petitioner is granted ten year higher grade in the promoted post of Workshop Instructor in the scale of Rs.5500-9075. Since the post of Assistant Lecturer is abolished, petitioner has to wait for his turn to get next promotion. Since the claim is not tenable, W.P. is closed.

C.N.RAMACHANDRAN NAIR
Judge

pms